

Nicholas Marritz

From: Nicholas Marritz
Sent: Tuesday, June 28, 2016 5:23 PM
To: 'Attorney Huh'
Subject: Recap of our call

Hello Jason,

Thank you for a productive call just now. I wanted to memorialize it in this email. Please let me know immediately if you disagree with or have a different understanding about any part of it, or if I left anything out.

We went through each of the remaining discovery deficiencies and determined which have been resolved and which remain.

1. Interrogatory 14:

- Your agreed to produce a second supplemental response to Interrogatory 14 tonight or tomorrow morning.

2. Requests for Production:

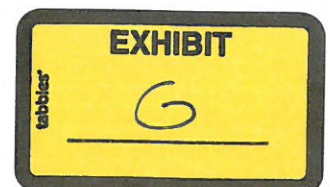
- a. Bank Information: We discussed your clients' production of records relating to the BB&T bank account that was used to pay Plaintiffs' compensation.

i. Bank Statements

- You stated that you had asked Defendants repeatedly to request the relevant bank statements related to the bank account, but that they had not done so. I noted that Defendants' supplemental answer to Interrogatory 19 states that "Defendants have ordered the bank statements." I asked whether this meant that Defendants' responses to Interrogatory 19 were false. You said yes.

ii. Copies of Plaintiffs' Paychecks

- You declined to instruct your client to request copies of Plaintiffs' paychecks, absent a court order.
- You asked whether these bank records, being in control of the bank, were responsive to Plaintiffs' document requests, which asked for documents in Defendants' "possession, custody, or control." I replied that the documents were under Defendants' "control" because Defendants have the right, authority or practical ability to get the documents from the bank upon request.
- You then objected to the request as overly burdensome, as you stated that getting copies of the paychecks could cost as much as \$1,000. I responded that your objection was untimely, as the deadline for serving discovery objections had passed over a month ago, per Local Rule.
- We agreed that we had reached impasse on this issue.



- b. Request for Production 17: With regard to the case of *Campos Rios v. Sweet Home Improvements, Inc., et al.*, 1:15-cv-1532-CMH-JFA (E.D. Va.), filed November 16, 2015, you stated that you had asked Defendants for documents related to that case, and they responded that they had no such documents.
- c. Craigslist Ad: You stated that you had asked Defendants to produce the Craigslist ads through which some of the Plaintiffs were hired, and that Defendants responded that they no longer had a way to access these ads.
- d. Photographs from Miae Koo's Cell Phone: You had agreed to produce legible copies of three photographs that Miae Koo had taken with her cell phone. I asked you to produce the photographs electronically, as called for in Plaintiffs' instructions regarding native format. You agreed to email me the photos tonight or tomorrow morning.

Sincerely,

Nicholas Marritz, Staff Attorney

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